

# EPA Region III

## Office of Public Affairs

### EARLY BIRD HEADLINES

**Wednesday, November 14, 2012**

#### \*\*\* MORNING HOT LIST \*\*\*

#### **Former shale gas foe makes a deal to allow drilling on her historic farm**

**PHILADELPHIA INQUIRER** Two years ago, Denise Dennis delivered a dramatic denunciation of Marcellus Shale natural gas development at a Philadelphia City Council hearing. She equated drilling to the tobacco industry, and said that "Pennsylvanians are the lab rats" for a massive shale gas experiment. The Philadelphia resident had a powerful story: Her family owned a historic 153-acre farm in Susquehanna County, where her ancestors were among the first freed African Americans to settle in Pennsylvania just after the Revolutionary War. She became a potent symbol in the shale gas wars. "The process for extracting natural gas from shale is as dirty as coal mining," she testified to thunderous applause at the 2010 council meeting. "Wow," said Councilman Curtis Jones Jr., who sponsored the hearing. But Dennis' fervor has subsided in the last two years, undone by the financial need of preserving her family's deteriorating historic farm, and by the salesmanship of the Cabot Oil & Gas Corp. Last week Dennis signed a lease allowing the Houston company to extract the shale gas beneath her family's farm, which the National Trust for Historic Preservation has called a "rare and highly significant African American cultural landscape

#### **Editorial: Water report badly needed re: gas boom**

**POCONO RECORD** A nationwide study of the impacts natural gas drilling has on the water we drink can't come fast enough. A U.S. Environmental Protection Agency progress report on the project is due out before the end of this year, with the final report to be issued in 2014. The national study looks at hydraulic fracturing, commonly called "fracking," examining whether it has adverse effects on drinking water. The fracking process involves injecting large volumes of water laced with sand and hazardous chemicals deep into rock deposits. The procedure breaks the rocks apart to release oil and natural gas, a clean-burning fuel that is considered a vital part of the nation's energy future. The process is under intensive use in Pennsylvania, much of which sits atop the gas-rich Marcellus Shale deposit. But contaminated wastewater can leak from faulty well casings into groundwater — and underground pollution is not easy to track. Where and how drilling-related wastewater is treated and disposed of is an issue, too. Anti-fracking advocates in northeastern Pennsylvania have stated loud and clear that protecting the clean waters of the Delaware River and its tributaries is just as important as fuel. And right now in the Pittsburgh area, researchers are searching for the source of a salty compound that is persisting in the Allegheny River just downstream of industrial brine treatment plants. The plants treat wastewater from oil and gas drilling as well as from other industrial activities, and other researchers have already documented a significant drop in bromides in the Monongahela River after shale gas drillers stopped taking wastewater. Here in the Keystone State, the EPA study is looking into water quality and quantity issues in Washington, Bradford and Susquehanna

counties. The drinking water study should serve as a guide to local state and federal governments on how best to manage the pursuit of gas fracking, making sure the practice is conducted as safely as possible. The energy-greedy United States is already seeing lower prices for natural gas thanks to higher production. But plentiful and affordable energy shouldn't come at the expense of clean drinking water.

## **Officials prepare to assess permit costs**

**FREDERICK NEWS-POST** County, state clash over expense in bay cleanup efforts from stormwater runoff. Rainwater might not ask permission to run into drains, but that doesn't mean it flows for free. Frederick County leaders are waiting to see how much their stormwater will cost them. The state could unveil this month the county's five-year permit for water drainage into sewer systems and ultimately into streams, rivers and the Chesapeake Bay. The permit will lay out expectations for Frederick County, defining how much it must do to study and control the runoff, which can damage waterways by loading them with nitrogen, phosphorus and sediment. With county commissioners apprehensive about the cost implied in the permit, negotiations over the document have become yet another arena where the county and state clash over bay cleanup efforts. "I'm hoping that the state ... will realize that they've got to back off and be more reasonable or else they're going to cause so many problems that it will hurt the economy," Commissioner Paul Smith said. "I just shake my head. I can't believe what they're doing." The state and county have been discussing the permit renewal for several years, said Shannon Moore, the county's manager of sustainability and environmental resources. The most recent draft came out in June, and in comments submitted to the Maryland Department of the Environment, the county estimated implementing this version would cost more than \$112 million over five years. Without knowing how the figure was developed, an MDE spokeswoman said, she can't comment on its accuracy. Moore said the final number could change drastically depending on what ends up in the actual permit. While the cost estimate is only a small fraction of the estimated \$1.9 billion the county projects it would cost in Frederick County to carry out the state's full bay cleanup strategy, the permit's requirements have more muscle than some other pieces of the plan, Smith said. Violating the permit could put the county at risk of legal action or fines.

## **O'Malley staff decries challenges to bay cleanup efforts**

**ANNAPOLIS CAPITAL-GAZETTE** ANNAPOLIS — Gov. Martin O'Malley's staff is not thrilled with a growing movement of county governments interested in challenging Chesapeake Bay cleanup programs. O'Malley's director of communications, Raquel Guillory, published a blog post on the governor's website on Tuesday saying the effort "threatens to undermine our collective actions to restore the health of the bay." As reported by *The Capital*, the Funk & Bolton law firm is signing up rural counties for a possible attempt to challenge cleanup efforts under the federal bay "pollution diet" or to influence a permit renewal for the Conowingo Dam on the Susquehanna River. The blog post includes a letter from the nonprofit Chesapeake Bay Foundation decrying the effort. "They are preying on the fear that counties have over how to pay for cleanup efforts," wrote CBF President Will Baker and Maryland Executive Director Alison Prost. Funk & Bolton has signed up several counties for its campaign, including Dorchester, Frederick, Allegany, Kent, Caroline, Cecil and Charles. The state's environment secretary, Robert M. Summers, told *The Capital* previously Maryland would not be deterred from pursuing Chesapeake Bay cleanup programs.

## **McCarthy Says No Greenhouse Gas Rule for Existing Power Plants Soon**

**BNA DAILY ENVIRONMENT REPORT** BALTIMORE—The Environmental Protection Agency's top air official said Nov. 13 that any rule regulating greenhouse gas emissions from existing power plants is at least several years away. "We are not talking about a quick timeline for any new source standard to be translated to existing facilities," Gina McCarthy, EPA assistant administrator for air and radiation, said during a meeting of the National Association of Regulatory Utility Commissioners. EPA in April proposed a carbon dioxide new source performance standard for newly built, fossil fuel-fired power plants, the first time it has set a source-specific

emissions limit for greenhouse gases (77 Fed. Reg. 22,392; 71 DEN A-9, 4/13/12). Setting a standard for new and modified power plants would trigger a requirement under Section 111(d) of the Clean Air Act to set similar standards for existing sources as well. Section 111(d) requires EPA to set standards for existing sources when it establishes a new source performance standard for pollutants that have not previously been regulated. EPA still is considering the 2 million comments it received on the proposed rule for new sources, and it is “not running to any finish line” to issue the final rule, McCarthy said. It would not be until after the rule covering new plants is finalized that EPA would address greenhouse gas emissions from existing plants, McCarthy said. Existing plants would not automatically be subject to regulation, and EPA would need to conduct a separate rulemaking. McCarthy said EPA would issue guidance, which states would implement over several years.

## **Commentary: Film's Mutant Isopods Not as Scary as Real Horrors Facing the Bay**

**SOUTHERN MARYLAND ONLINE** It has been a stressful few weeks for people across the Chesapeake Bay region. Ten days ago, we were in the grip of Hurricane Sandy, then last weekend, we were faced with the opening of “The Bay,” Barry Levinson's eco-horror movie set in a small Chesapeake Bay town. Like any good horror film, “The Bay” takes elements of reality and twists them in absurd ways to capitalize on our fears. According to reviews, Levinson’s film does a good job of grabbing viewers’ attention. But Levinson has said that he wants to draw attention to the real problems facing the Chesapeake, and for this he should be applauded. It’s about time someone found a way to awaken more people to the health of our region’s waterways. It is sad, though, that a sensational and implausible story line is needed to bring about the awakening. So let’s talk about what is real and what is not in relation to the Chesapeake Bay region. True: Every year the Bay is host to dead zones — areas of deep, oxygen-depleted water. These areas result from pollution running off the land from urban and rural areas. The size of the dead zones is influenced by water temperature and rainfall. A large dead zone spans the deepest Bay waters each summer, reducing habitat for fish, crabs and other creatures. Local algae blooms cause fish kills and can even cause crabs to crawl onto shore to breathe. Governments from New York to Virginia support a blueprint to reduce pollution flowing into local rivers and the Bay that will ultimately shrink the dead zone. Restoring the Bay will require each of us to do more.

## **Editorial: John Boehner’s discouraging view of climate science**

SPEAKER JOHN BOEHNER has made some encouraging statements since last week’s election, pointing toward productive policy-making. This was not one of them: “I don’t think there’s any doubt that we’ve had climate change over the last 100 years,” he told USA Today. “What has initiated it, though, has sparked a debate that’s gone on now for the last 10 years.” The Ohio Republican continued: “I don’t think we’re any closer to the answer than we were 10 years ago.” President Obama recently sounded some positive notes on climate change, perhaps the most neglected big issue of the 2012 campaign. His comments rekindled hopes of environmentalists that his second term will see more aggressive policymaking to combat global warming than did his first. Mr. Boehner’s words, which appear to mischaracterize the scientific debate on global warming, indicate that blinkered Republican opposition to doing much of anything about the problem may persist. Climate science is complicated, but the basic physical principles on which the scientific consensus is based are not. Gases such as carbon dioxide trap the energy that pours down on the Earth from the sun, making the Earth habitable. Since the middle of the 20th century, scientists have studied the warming effects of adding large amounts of additional heat-trapping gases to the atmosphere, and they have made great progress since then in describing how and why the world is warming, and how that trend is likely to play out years and decades from now.

## **EPA Said to Be on Track to Propose Water Pollution Rules**

**BNA DAILY ENVIRONMENT REPORT** EPA is on track to propose rules for stormwater runoff and concentrated animal feeding operations, according to analysts interviewed by BNA. The analysts—representing environmental groups, state officials, and agricultural and wastewater interests—also expect EPA and the U.S.

Army Corps of Engineers to finalize guidance clarifying federal jurisdiction over the nation's waters and to conduct a rulemaking to formalize the policy. These rulemakings are the ones most anticipated by regulated parties after President Obama's re-election.

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## PENNSYLVANIA

### ***PHILADELPHIA INQUIRER***

Former shale gas foe makes a deal to allow drilling on her historic farm Two years ago, Denise Dennis delivered a dramatic denunciation of Marcellus Shale natural gas development at a Philadelphia City Council hearing. She equated drilling to the tobacco industry, and said that "Pennsylvanians are the lab rats" for a massive shale gas experiment. The Philadelphia resident had a powerful story: Her family owned a historic 153-acre farm in Susquehanna County, where her ancestors were among the first freed African Americans to settle in Pennsylvania just after the Revolutionary War. She became a potent symbol in the shale gas wars. "The process for extracting natural gas from shale is as dirty as coal mining," she testified to thunderous applause at the 2010 council meeting. "Wow," said Councilman Curtis Jones Jr., who sponsored the hearing. But Dennis' fervor has subsided in the last two years, undone by the financial need of preserving her family's deteriorating historic farm, and by the salesmanship of the Cabot Oil & Gas Corp. Last week Dennis signed a lease allowing the Houston company to extract the shale gas beneath her family's farm, which the National Trust for Historic Preservation has called a "rare and highly significant African American cultural landscape

### ***PITTSBURGH TRIBUNE REVIEW***

EPA, state regulators sue 17 companies over Superfund site costs (Nov. 9) The Environmental Protection Agency and the state Department of Environmental Protection sued 17 companies in federal court on Friday to recover costs associated with cleaning up a Superfund site in Lawrence County. A Superfund site is an uncontrolled or abandoned place where hazardous waste is located. There are more than 250 in Pennsylvania, according to the EPA. This site in West Pittsburg, operated by Reactive Metals and Alloys Corp., or Remacor, on 45 acres, accepted magnesium shavings and scrap from customers, and processed the waste into a reagent used in steel production. A 2005 fire on the property halted the plant's processing ability, but the company continued to accept waste, stockpiling more than 6 million pounds, much of it improperly stored, the lawsuit claims. The EPA and state DEP paid about \$10 million to remove the material in September 2006, and the lawsuit seeks reimbursement from the companies and a pledge that they will be responsible for future costs. The companies include a dozen mostly out-of-state metal and machine manufacturers, including Black & Decker, Rolls Royce, and Johns Hopkins University.

Jeannette officials enter Monsour building with warrant (Nov. 9) Jeannette officials are removing records from the abandoned Monsour Medical Center to see if the canister-like building left vacant along Route 30 more than six years ago is a hazard. City Solicitor Scott Avolio obtained a search warrant to enter and inspect the building with a code enforcement officer and fire department officials Friday morning. Shortly after entering the building, authorities said they found a box of patient records from 2006 when the hospital closed after a number of failed state inspections. "There's open medical documents, patient names, dates of birth, phone numbers and Social Security numbers," said code enforcement officer Ed Howley. "It has the illnesses they were in (the hospital) for. That can be used by identity-theft people." Avolio said he does not have the legal authority to remove patient records, but will inventory them and notify the state's Attorney General Office. He said that the state could contract with a private agency to remove the records and store them or destroy them. "They have not confirmed whether they'll be able to do that yet," Avolio said. City officials said they were concerned that records contained confidential, personal and financial information may have been left unsecured in the buildings at the complex. The main building is a favorite haunt of squatters and vandals. Officials said they fear that personal information of former patients could fall into the hands of identity thieves. City officials have condemned the building, but they said the city does not have \$250,000 to \$1 million needed to demolish it. The U.S. Department of Health and

Human Services has opened an investigation on how patient records were handled when Monsour closed.

Oakmont authority to handle Verona's water, sewer billing Verona Council approved a contract Tuesday night that hands over water and sewer service billing to Oakmont Water Authority. The borough previously used the Allegheny County Sanitation Authority (Alcosan) to bill for sewage service, but realized that residents were not being notified about delinquent payments. There will not be a rate increase for residents. Alcosan is raising its billing service rates 11 percent next year. Verona has always used Oakmont Water Authority for water bills. The agreement with Oakmont will allow the authority to begin collecting delinquent accounts, and to begin billing residents for both water and sewer for at least one year. Councilman Pat McCarthy acknowledged that some residents will be hit initially with high payments of delinquent accounts. When some residents sold a home they were being notified of past due payments that had accrued late fees they may not have been aware of. "This way, people will see it all right there," he said. Council also voted to move forward with sending letters to owners of abandoned properties. The letters will notify owners that if they don't bring their properties up to borough code or come forward, the borough will take court action.

River traffic threatened by low water levels on Upper Mississippi A section of the Mississippi River is so low that much of the navigation along the river could grind to a halt in less than a month, the owner of a Washington County shipping company says. A summerlong drought left 180 miles of the Mississippi between St. Louis and Cairo, Ill., so low that it could cut off the Upper Mississippi from the river's lower section. "That section of the Mississippi could be unnavigable by Dec. 10. You are basically severing a main transportation artery in this country," said Michael Monahan, president of Houston, Pa.-based Campbell Transportation, which owns and operates about 500 barges, 337 towboats and 37 shipyards. Although officials say traffic on the Ohio and lower Mississippi rivers is not disrupted, they point out that the threatened part of the Mississippi is part of a system.

Editorial: Wind warning Americans should hope that winds of change — and sanity — blowing away pro-wind-energy policy in the United Kingdom waft all the way across the Atlantic, sparing U.S. taxpayers the bills for further subsidies of an industry that makes no economic sense. Energy Minister John Hayes has announced a moratorium on building onshore wind turbines. It's a dramatic reversal for the U.K.'s coalition government headed by Prime Minister David Cameron, who in 2008 advocated spending 100 billion pounds on wind farms, according to the Daily Mail's Christopher Booker. The U.K. then saw wind farms as needed to meet its European Union commitment to produce nearly a third of its electricity from renewable sources by 2020. But that policy's now fallen victim to commonsense objections raised by communities and members of Parliament across party lines — objections that are just as valid on this side of the ocean. The 3,500 onshore wind turbines that the U.K. already has produce only a quarter of their electrical capacity due to wind's unreliability. And U.K. taxpayers have been subsidizing them at "100 percent on all the power they produce," making wind power far more costly than conventional energy sources, Mr. Booker writes.

### **WILLIAMSPORT SUN-GAZETTE**

Editorial: Obama policies put coal in jeopardy (Monday) President Barack Obama insists there's nothing to the war on coal. Why, the mining industry is doing well, he maintains. Tell that to the nation's largest coal producer, Peabody Energy Corp. Last week the firm announced its third-quarter profit was down a whopping 84 percent from last year. Peabody also revealed it plans to reduce costs by about \$100 million a year, through steps including laying off miners. Company executives did not reveal how many jobs will be lost but obviously, the number will be significant. Earlier this year, the third-largest coal company in the United States, Alpha Natural Resources, revealed plans to lay off 1,200 miners. As we have reported previously, domestic consumption of coal is declining. Electric companies' plans to close scores of coal-fired power plants will reduce it even more - while increasing the cost of power to tens of millions of Americans in the long run. This is hardly the rosy picture being painted by the president and his liberal supporters. And Tuesday's re-election of a president famously unfriendly to coal will send the industry's outlook into a further dive. It's fine to embrace other energy sources, such as wind and solar, but it's not practical to purge other, more traditional energy entities. The best energy menu for America is a divergent one.

## **READING EAGLE**

County takes no delight in Exide workers' plight In two years, the Berks County commissioners have positioned themselves squarely against Exide Technologies' lead smelting plant in Laureldale. But a day after Exide announced plans to idle the plant and lay off 150 employees by March 31, the commissioners said Friday that they were not celebrating the news. "We take no joy in the loss of jobs in Berks County," Commissioner Mark C. Scott said, "but I don't think we're willing to trade public health for jobs." In the past two years, the county has appealed two separate permits issued to Exide. According to the commissioners, the permits fell short of what is needed to comply with national air standards and do not require the company to continue operating a network of air monitors around the plant. The state Department of Environmental Protection does maintain monitors at the plant and will continue to do so, DEP spokeswoman Lisa Kasianowitz said. The latest appeal, filed last month, contested the effectiveness of Exide's \$30 million plan to contain lead at the Laureldale facility. "They (Exide) had a vigorous defense of their position and if you're planning to close a plant, you don't do that," Scott said. Exide spokeswoman Susan Jaramillo said the legal battle with the county was a factor in the decision to idle the plant, but the main reasons were swings in the lead market and the hefty capital investment needed to continue operating in Laureldale.

## **UNIONTOWN HERALD STANDARD**

No one speaks against Duke Energy operating permit MASON TOWN — Some concerns were voiced Thursday about air pollution from Duke Energy's Fayette Energy Facility in German Township, but no one opposed issuing a state operating permit to the natural-gas burning power plant. State Department of Environmental Protection (DEP) officials answered questions about the plant and its proposed permit before accepting testimony during a formal hearing. About 20 people attended the proceeding at the Masontown Volunteer Fire Department. Several people asked questions, but only two testified. The plant has been operating since 2003 under terms of its preconstruction plan approval, which was issued in 2002, and an application shield. Its two combustion gas turbines can produce 630 megawatts of electricity, which is enough to power 500,000 homes, said Barbara Hatch, environmental engineer manager of the DEP's southwest regional office in Pittsburgh. The plant doesn't operate around the clock, but if it did it would produce 581 tons of carbon monoxide, 296 tons of nitrogen oxides, 174 tons of sulfur oxides, 313 tons of particulate matter, 90 tons of volatile organic compounds, 166 tons of ammonia, 4.9 tons of hazardous air pollutants (including 4.4 tons of formaldehyde) and 2,281,548 tons of greenhouse gases a year. The plant's emission controls are state of the art even though they were installed in 2003, Hatch said. Dry low nitrogen oxide combustors are among the controls. Turbine exhaust gasses are treated with selective catalytic reduction for nitrogen oxide control and an oxidation catalyst for volatile organic compounds and carbon monoxide control, according to the DEP. "There's nothing else they can do to improve emissions," Hatch said. Melissa Troutman of the Mountain Watershed Association (MWA) of Melcroft testified that the MWA isn't opposed to the DEP granting the Air Quality Title V Operating Permit, but it was concerned that emissions from the plant would cause Fayette County to exceed national ambient air quality standards (NAAQS) due to its proximity to First Energy's Hatsfields Ferry Power Station.

Officials continue to monitor dye that colored creek (Sunday) Concrete dye that entered a small creek and turned it blue seems to have dissipated, according to Connellsville Township officials. "The creek is not blue anymore," said Bob Lieberger, director of emergency management for the township. "I'm keeping an eye on it." The state Department of Environmental Protection (DEP) is investigating the incident where officials say concrete dye turned a small portion of White's Creek deep blue. DEP spokesman John Poister said in a statement that the agency traced the dye to a nearby home, where, officials say, the dye wasn't properly disposed of. The homeowner, who was not identified, was using the dye to tint concrete being poured for a basement game room. "That's where the source of the problem was," said Guy Napolillo, Fayette County assistant director of emergency management. "I'm speculating that the dye went down into the storm drain." It appears that the dye has not harmed aquatic life; however, the DEP is testing the water to make sure there were no chemicals in the dye that might harm fish or humans.

Green roof to help cut rainwater runoff at Oakland's Soldiers & Sailors The roof of the Soldiers & Sailors Hall in Oakland is about to sprout green vegetation. The roof of the building at 4141 Fifth Ave. has shown signs of deterioration that has created large amounts of rain water runoff. That led the Redevelopment Authority of Allegheny County to approve a grant of up to \$250,000 through the Allegheny County Community Infrastructure and Tourism Fund, toward an estimated \$563,000 project that includes other energy-saving projects. The green covering will be on the flat portions of the roof, which run along the exterior edge. That, with other roof repairs, is expected to reduce rainwater runoff by 60 percent.

## ***POCONO RECORD***

Editorial: Water report badly needed re: gas boom A nationwide study of the impacts natural gas drilling has on the water we drink can't come fast enough. A U.S. Environmental Protection Agency progress report on the project is due out before the end of this year, with the final report to be issued in 2014. The national study looks at hydraulic fracturing, commonly called "fracking," examining whether it has adverse effects on drinking water. The fracking process involves injecting large volumes of water laced with sand and hazardous chemicals deep into rock deposits. The procedure breaks the rocks apart to release oil and natural gas, a clean-burning fuel that is considered a vital part of the nation's energy future. The process is under intensive use in Pennsylvania, much of which sits atop the gas-rich Marcellus Shale deposit. But contaminated wastewater can leak from faulty well casings into groundwater — and underground pollution is not easy to track. Where and how drilling-related wastewater is treated and disposed of is an issue, too. Anti-fracking advocates in northeastern Pennsylvania have stated loud and clear that protecting the clean waters of the Delaware River and its tributaries is just as important as fuel. And right now in the Pittsburgh area, researchers are searching for the source of a salty compound that is persisting in the Allegheny River just downstream of industrial brine treatment plants. The plants treat wastewater from oil and gas drilling as well as from other industrial activities, and other researchers have already documented a significant drop in bromides in the Monongahela River after shale gas drillers stopped taking wastewater. Here in the Keystone State, the EPA study is looking into water quality and quantity issues in Washington, Bradford and Susquehanna counties. The drinking water study should serve as a guide to local state and federal governments on how best to manage the pursuit of gas fracking, making sure the practice is conducted as safely as possible. The energy-greedy United States is already seeing lower prices for natural gas thanks to higher production. But plentiful and affordable energy shouldn't come at the expense of clean drinking water

## ***STATE IMPACT PENNSYLVANIA***

Study Finds Air Pollutants Near Drilling Sites A peer-reviewed study published last week shows air quality impacts near drilling sites in rural Colorado. conducted by The Endocrine Disruption Exchange, was published in the journal *Human and Ecological Risk Assessment*. The study is the first to measure air quality before, during and after drilling and hydraulic fracturing operations. It found non-methane hydrocarbons rose to their highest concentration during the initial drilling, but did not increase during fracking operations. Researchers were surprised by one pollutant.

Blog: NPR: Across PA, Abandoned Wells Litter The Land This morning, NPR aired a StateImpact report on Pennsylvania's estimated 200,000 abandoned oil and gas wells, and the problems caused this summer when a Tioga County Shell drilling operation intersected with an 80-year-old well. You can listen to the report here, and read our full series on the problem, Perilous Pathways, here.

"Qatar Mulls U.S. Shale Gas Investments" If you can't beat them, join them. With the International Energy Agency predicting U.S. shale oil production increasing enough to eclipse Saudi Arabia as the world's largest oil producer in just over seven years, the tiny, fossil fuel-rich country of Qatar sees opportunity.

## ***ASSOCIATED PRESS (Pa.)***

DEP adds disclaimer to gas data PITTSBURGH - The state Department of Environmental Protection has added a disclaimer to its Marcellus Shale natural gas reporting Web page. The agency now tells visitors to the website that it

can't guarantee the "accuracy, completeness or timeliness" of production data that companies submit and that "no warranty of any kind is given by DEP with respect to the production data." Financial markets and energy companies use the production reports as part of long-term decisions involving billions of dollars. The disclaimer comes after several experts in the oil and gas industry criticized DEP in August for not alerting the public to problems in a biannual report. One of the state's largest gas producers submitted unusable data and, as a result, the statewide production totals appeared to be far lower than they actually were. A DEP spokesman did not immediately respond to questions about the disclaimer. Current law relies on self-reporting by oil and gas companies, and DEP is not required to verify the data. In most states, companies report production every month, but Pennsylvania law requires only biannual reporting.

Pa. officials release updated drilling fees HARRISBURG — The city of Williamsport will receive an extra \$300,000 from Pennsylvania's booming natural gas drilling industry after state officials said they corrected miscalculations in how revenue from fees was to be distributed among municipal governments. The Pennsylvania Public Utility Commission released the revised figures last week for its distribution of Marcellus Shale well fees. It disclosed the errors in late October, and the changes will result in many municipalities seeing a change of hundreds or thousands of dollars in its bottom-line figure for wells drilled in 2011 and before. The fees results from a February law imposing a \$50,000 fee for each horizontally drilled well and a \$10,000 fee for each vertical well drilled through the end of 2011. Williamsport's change was by far the biggest and will bring the city \$560,000, instead of \$260,000. The utility commission said the miscalculation affected municipalities within five miles of a well. Payments are still to be made by the law's deadline of Dec. 1, it said. The mistakes were discovered after the utility commission published the original figures Oct. 15 and some municipalities asked the commission to double-check their amount.

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## WASHINGTON, D.C.

### **WASHINGTON POST**

Editorial: John Boehner's discouraging view of climate science SPEAKER JOHN BOEHNER has made some encouraging statements since last week's election, pointing toward productive policy-making. This was not one of them: "I don't think there's any doubt that we've had climate change over the last 100 years," he told USA Today. "What has initiated it, though, has sparked a debate that's gone on now for the last 10 years." The Ohio Republican continued: "I don't think we're any closer to the answer than we were 10 years ago." President Obama recently sounded some positive notes on climate change, perhaps the most neglected big issue of the 2012 campaign. His comments rekindled hopes of environmentalists that his second term will see more aggressive policymaking to combat global warming than did his first. Mr. Boehner's words, which appear to mischaracterize the scientific debate on global warming, indicate that blinkered Republican opposition to doing much of anything about the problem may persist. Climate science is complicated, but the basic physical principles on which the scientific consensus is based are not. Gases such as carbon dioxide trap the energy that pours down on the Earth from the sun, making the Earth habitable. Since the middle of the 20th century, scientists have studied the warming effects of adding large amounts of additional heat-trapping gases to the atmosphere, and they have made great progress since then in describing how and why the world is warming, and how that trend is likely to play out years and decades from now. Scientists use real-world observations to describe the climate's past, recent and distant. Then they build complex models that reflect those and other observations and run them on supercomputers. After decades of this, nearly every expert agrees that global warming is a problem and that a chief cause is the oil, gas and coal burned by humans. The biggest question now is not whether human-produced greenhouse emissions have an effect but how significant that effect will be. In Mr. Boehner's "last 10 years" alone, the models and the quality of the information that feeds into them have gotten progressively better. Just last week, the journal Science published a study from two climate researchers at the National Center for Atmospheric Research that addresses the behavior of clouds in different climate models, one of the primary sources of continuing uncertainty about how sensitive the climate will be to increased levels of carbon dioxide. Using satellite measurements of relative humidity, they determined that the models that predict relatively modest warming did not reflect the satellite record as well as those predicting much more alarming outcomes. In other words, the more pessimistic models are likely to be more accurate. Predictions



about the future climate must be tempered by an appreciation of the uncertainties inherent to describing extremely complicated earth systems. But the risks of global warming that decades of science describe are clearly great enough to warrant action. Mr. Boehner's office told us that the speaker was talking about the stagnation of the policy debate over the last 10 years, not the state of the science. If that's the case, then he should be willing to stand up for the climate researchers and push Washington's policy deliberations into accord with the science.

Congress approves stronger whistleblower protections With a Senate vote Tuesday, Congress gave final approval to legislation strengthening protections for federal whistleblowers. The measure, which advocates have been pushing for more than a decade, now goes to President Obama for his signature. The legislation is designed to protect employees who expose government wrongdoing from retaliation by supervisors.

Senate passes COLA bill for veterans at deadline A bill to provide a cost-of-living adjustment for disabled veterans and survivors that stalled amidst partisan strife in late September passed the Senate on Tuesday, meaning that the 1.7 percent increase is expected to be included in checks to be sent in January. More than 3.9 million veterans and survivors are expected to receive compensation benefits in 2013, including veterans' disability compensation and dependency and indemnity compensation for surviving spouses and children.

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## DELAWARE

### **DELAWARE CAPE GAZETTE**

Rehoboth businesses rebound quickly from Sandy Rehoboth Beach was spared the worst of Sandy's wrath and once roads were reopened, business began coming back. The Greene Turtle on Wilmington Avenue, with its view overlooking the ocean, was hopping Oct. 30 as visitors piled back into Rehoboth. Greene Turtle co-owner Bill Frankis said people were coming in as soon as the restaurant was ready to open at 11:30 a.m., 30 minutes later than usual. "A normal Tuesday ...

DryZone accused of zoning violations Milton town officials have informed the owners of DryZone that the business is violating zoning regulations and requires immediate action. Town officials have requested owners Gary and Lydia Lawson submit a conditional-use permit application to bring their business into compliance. The Lawsons deny they are in violation. A conditional use permit would require a public hearing before the planning and zoning ...

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## WEST VIRGINIA

### **CHARLESTON GAZETTE**

Blog: Obama and coal: Does the mining industry not understand who won the presidential election? We continue to see some fascinating statements from coal industry officials in the wake of last week's strong re-election victory for President Obama. For example, here's something from the latest Associated Press dispatch out of Kentucky:

### **WHEELING INTELLIGENCER**

Drilling Insiders Hit Pittsburgh for Conference PITTSBURGH - As development of the massive Marcellus and Utica shale fields continues - and Royal Dutch Shell is planning an ethane cracker in Monaca, Pa. - hundreds of oil and gas industry officials are headed to the Steel City. The 2012 Developing Unconventional Gas Conference and Exhibition is set for today and Thursday at the downtown David L. Lawrence Convention Center. The event comes

just days after the International Energy Agency released a report stating that shale drilling could help the U.S. surpass Saudi Arabia as the world's largest oil producer by 2020. During the 2010 conference, a large crowd of anti-industry protesters gathered outside the convention center to express their opposition to the fracking process, claiming the process contaminates groundwater. Two years later, some of the same concerns remain. Reports of methane possibly contaminating a Marshall County residential drinking water well caused some local residents to wonder how safe the drilling process is. Drilling, fracking, processing, transporting and cracking in the Marcellus and Utica shale formations throughout the Ohio Valley continues to increase. Major corporations such as Chesapeake Energy, Gulfport Energy, Chevron, Exxon Mobil, Dominion Resources, MarkWest Energy, Williams Partners and Royal Dutch Shell are all taking their stakes by investing billions of dollars to harvest the resources that lie thousands of feet underground. In addition to the natural gas found in the Marcellus and Utica formations, oil and natural gas liquids (ethane, propane, butane and pentane) are also prevalent in the rocks - particularly the farther west one drills.

### ***ASSOCIATED PRESS (W. Va.)***

State workforce conference set for Friday INSTITUTE, W.Va. -- A conference on the changing needs of the state's workforce is set for this week at West Virginia State University. Leaders of industry, business, education and policy are expected to attend Friday's inaugural Regional Workforce Development Conference. A series of panel discussions will focus on the role of education in preparing the workforce of the future, with an emphasis on science, technology, engineering and math. Panelists will include representatives from the Higher Education Policy Commission, West Virginia Manufacturers Association, Chemical Alliance Zone, West Virginia Coal Association, Appalachian Power, Charleston Area Alliance, Kanawha County Schools and several others.

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## **MARYLAND**

### ***BALTIMORE SUN***

New pipes installed at two water main break sites | VIDEO Aging pipe system causes problems. City work crews have located and removed the old pipe that ruptured Monday and sent water cascading through several downtown streets. By 9 a.m. Tuesday, a new 30-inch main had been installed and should be in service by late afternoon, officials said. The pipe at East Madison Street near Guilford Avenue broke shortly before 8 a.m. Monday and disrupted service to several homes and businesses in a 12-block area, including Mercy Hospital, Our Daily Bread and Center Stage.

Heat just one home this winter Pocket up to \$3,150 in rebates to fix your home's costly leaks. Maryland's state government desperately wants you to plug up your leaky house in order to use less electricity. To get homeowners on board, the Empower Maryland program is offering 50 percent rebates of up to \$3,150 on retrofit projects that make your home more energy efficient. The goal is simple: reduce electricity usage while reducing Maryland's greenhouse gases.

Baltimore's champion beech felled by age City's largest had reigned for decades in Northwest backyard. The champion is dead - long live the champion. The grand American beech in Mary Azrael's backyard in Mount Washington was at least 160 years old and had reigned officially as the city's premier tree of that species for nearly two decades.

### ***MARYLAND CAPITAL/GAZETTE***

O'Malley staff decries challenges to bay cleanup efforts ANNAPOLIS — Gov. Martin O'Malley's staff is not thrilled with a growing movement of county governments interested in challenging Chesapeake Bay cleanup programs. O'Malley's director of communications, Raquel Guillory, published a blog post on on the governor's

website on Tuesday saying the effort "threatens to undermine our collective actions to restore the health of the bay." As reported by *The Capital*, the Funk & Bolton law firm is signing up rural counties for a possible attempt to challenge cleanup efforts under the federal bay "pollution diet" or to influence a permit renewal for the Conowingo Dam on the Susquehanna River. The blog post includes a letter from the nonprofit Chesapeake Bay Foundation decrying the effort. "They are preying on the fear that counties have over how to pay for cleanup efforts," wrote CBF President Will Baker and Maryland Executive Director Alison Prost. Funk & Bolton has signed up several counties for its campaign, including Dorchester, Frederick, Allegany, Kent, Caroline, Cecil and Charles. The state's environment secretary, Robert M. Summers, told *The Capital* previously Maryland would not be deterred from pursuing Chesapeake Bay cleanup programs.

Pepco and nonprofit give away trees Months after Pepco came under fire for aggressively trimming hundreds of trees in the name of electric reliability, the utility is helping plant more trees. Pepco is working with the Arbor Day Foundation's Energy-Saving Trees program to give free trees to residents to help conserve energy and reduce their utility bill. Among the criticism of Pepco's tree trimming were complaints that the utility removed shade trees that helped to keep utility bills down and energy consumption low.

### ***FREDERICK NEWS-POST***

Officials prepare to assess permit costs County, state clash over expense in bay cleanup efforts from stormwater runoff. Rainwater might not ask permission to run into drains, but that doesn't mean it flows for free. Frederick County leaders are waiting to see how much their stormwater will cost them. The state could unveil this month the county's five-year permit for water drainage into sewer systems and ultimately into streams, rivers and the Chesapeake Bay. The permit will lay out expectations for Frederick County, defining how much it must do to study and control the runoff, which can damage waterways by loading them with nitrogen, phosphorus and sediment. With county commissioners apprehensive about the cost implied in the permit, negotiations over the document have become yet another arena where the county and state clash over bay cleanup efforts. "I'm hoping that the state ... will realize that they've got to back off and be more reasonable or else they're going to cause so many problems that it will hurt the economy," Commissioner Paul Smith said. "I just shake my head. I can't believe what they're doing." The state and county have been discussing the permit renewal for several years, said Shannon Moore, the county's manager of sustainability and environmental resources. The most recent draft came out in June, and in comments submitted to the Maryland Department of the Environment, the county estimated implementing this version would cost more than \$112 million over five years. Without knowing how the figure was developed, an MDE spokeswoman said, she can't comment on its accuracy. Moore said the final number could change drastically depending on what ends up in the actual permit. While the cost estimate is only a small fraction of the estimated \$1.9 billion the county projects it would cost in Frederick County to carry out the state's full bay cleanup strategy, the permit's requirements have more muscle than some other pieces of the plan, Smith said. Violating the permit could put the county at risk of legal action or fines.

### ***SOUTHERN MARYLAND ONLINE***

Commentary: Film's Mutant Isopods Not as Scary as Real Horrors Facing the Bay It has been a stressful few weeks for people across the Chesapeake Bay region. Ten days ago, we were in the grip of Hurricane Sandy, then last weekend, we were faced with the opening of "The Bay," Barry Levinson's eco-horror movie set in a small Chesapeake Bay town. Like any good horror film, "The Bay" takes elements of reality and twists them in absurd ways to capitalize on our fears. According to reviews, Levinson's film does a good job of grabbing viewers' attention. But Levinson has said that he wants to draw attention to the real problems facing the Chesapeake, and for this he should be applauded. It's about time someone found a way to awaken more people to the health of our region's waterways. It is sad, though, that a sensational and implausible story line is needed to bring about the awakening. So let's talk about what is real and what is not in relation to the Chesapeake Bay region. True: Every year the Bay is host to dead zones — areas of deep, oxygen-depleted water. These areas result from pollution running off the land from urban and rural areas. The size of the dead zones is influenced by water temperature and rainfall. A large dead zone spans the deepest Bay waters each summer, reducing habitat for fish, crabs and other

creatures. Local algae blooms cause fish kills and can even cause crabs to crawl onto shore to breathe. Governments from New York to Virginia support a blueprint to reduce pollution flowing into local rivers and the Bay that will ultimately shrink the dead zone. Restoring the Bay will require each of us to do more.

### **ASSOCIATED PRESS (Md.)**

Chesapeake Bay Foundation says law firm threat to restoration BALTIMORE — A Baltimore law firm is asking rural counties to band together to challenge the new federally led Chesapeake Bay restoration strategy, something a foundation dedicated to the bay's health called one of the most serious attacks on clean water it has seen in Maryland. The Chesapeake Bay Foundation said Tuesday it sent a letter to Gov. Martin O'Malley asking him to fight the effort. Dorchester County has hired the Funk & Bolton law firm to go to rural parts of the state asking counties to collectively challenge the federal plan, the foundation said. "They are preying on the fears that counties have over how to pay for clean-up efforts," the letter to the governor said. O'Malley posted the foundation's letter on his blog, saying the law firm's effort "threatens to undermine our collective actions to restore the health of the bay." Attorney David Funk said his firm is representing local governments that are trying to determine how they will pay to help restore the bay. "Local governments have budgetary issues with respect to some of the environmental requirements and are trying to engage in a public policy debate as to what is the most cost-effective way to achieve the result that we all want, which is cleaning up the bay," Funk said. The new strategy being led by the federal Environmental Protection Agency puts everyone in the six-state bay watershed -- including Delaware -- on a "pollution diet" with daily limits for how much sediment and runoff can come from each area. Pollutants such as nitrogen and phosphorus from fertilizer, sewage, auto and power plant emissions cause oxygen-robbing algae blooms once they reach the bay, creating dead zones where sea life can't live. Farmers and agriculture interests are concerned about the strategy because agriculture runoff is the single largest source of bay pollutants, according to the EPA's Chesapeake Bay model. While agriculture has made gains in reducing bay pollution, the strategy calls for even more reductions from all sectors. County officials have also expressed concerns about the cost of the effort. The restoration is also being challenged in a federal court in Pennsylvania by groups including the American Farm Bureau Federation and the National Association of Home Builders.

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## **VIRGINIA**

### **RICHMOND TIMES-DISPATCH**

Is uranium mining worth the risk? The chance of a catastrophic pollution spill at a proposed uranium mine in Pittsylvania County might be small, but it is not zero. Questions of whether the benefits of a proposed mine would outweigh the risk of a catastrophe permeated debate during a downtown forum Tuesday. "What really matters in people's minds is the likelihood of that large loss," said Daniel L. Meges, lead author of a 2011 Chmura Economics & Analytics study of uranium mining in Virginia. Mine opponents fear, among other things, that a hurricane could flush radioactive waste into streams, contaminating drinking water as far away as South Hampton Roads. But Robert J. Bodnar, a Virginia Tech geochemistry professor, said the chance of that was about 1 in 10 million — "about the same probability as one of us today being hit on the head by a meteorite and dying." In an interview, Bodnar said he didn't know the probability of being hit by a meteorite but was using that to illustrate "a very rare" event. The mine's benefits, such as reducing fossil-fuel dependence, would outweigh the risks, Bodnar said. Robert Burnley, a former Virginia environmental director now working as a consultant for mining opponents, said tough regulations don't stop things like water pollution and landfill leaks and couldn't guarantee a safe mine. Noting that he has been involved in environmental issues for more than 40 years, Burnley said, "I've never been more concerned about the threat to human health and the environment as I am from this proposal." Virginia Uranium Inc. wants to mine and mill the radioactive metal from what it says is a 119 million-pound deposit, worth about \$7 billion, about 145 miles southwest of Richmond. Uranium fuels nuclear power plants. Before it can get to work, the company needs the General Assembly to lift the state's 30-year ban on uranium mining.

## ***NEWPORT NEWS DAILY PRESS***

VMRC: 'Oodles' of baby oysters now bode well for harvest in 3 years A state survey of oysters in Virginia waters has just wrapped up, and word is that larval oysters — called spat — are settling on reefs in massive numbers. Experts said it could bode well for the harvest in three years when those babies reach market size. "We have wonderful spat set," said Jim Wesson, oyster restoration expert with the Virginia Marine Resources Commission, or VMRC. "From north to south, no matter where you went, you had oodles of baby oysters." The word has spread among local watermen. "With word percolating through the watermen community that the spat set has been so good this year, we're seeing an increased number of people wishing to lease oyster grounds in the James River," said VMRC spokesman John Bull. This year, he said, the commission received 33 applications to lease water bottom acreage on the James River, and two more for the Pagan River, compared to seven last year. Water bottom leases run for 10 years at \$1.50 an acre, a fee that hasn't changed since 1950. The size of the oyster ground could range from half an acre to 200 acres. The state has 98,000 acres of water bottom for lease for oyster propagation, said Bull, whether watermen choose to seed it first with spat on shell and tend it like a farm field, or boat out on the river and harvest "what God has provided."

Waste-to-energy plant still under scrutiny in Newport News NEWPORT NEWS — City Council members on Tuesday continued to scrutinize a proposed waste-to-energy plant that could generate revenue, electricity and fuel for the city. At issue: Whether to spend \$75,000 on a feasibility study for an anaerobic digester plant that could be built at the city's Denbigh composting facility. The plant could take food waste, leaves, fats, oils and greases and turn the products into electricity, compressed natural gas to fuel vehicles and also possibly fertilizer that would be sold to the public. Council members Pat Woodbury and Sharon Scott questioned why the city should spend \$75,000 on a study to be done by Ohio-based Quasar Energy Group. Quasar presented the city an unsolicited bid this summer to explore options to build the plant. Details like how much the plant would cost to build, who would own the facility and how the city and Quasar would divvy up revenue would be subject to negotiations. "I see where we have skin in the game," said Woodbury, referring to the \$75,000. "Where do they (Quasar) have skin in the game?" Public Works Director Reed Fowler said that there are many unknown variables, and the study would be so complex that Quasar needs to be assured that they're not wasting their resources on the three-month study. "We're asking them to put an immense amount of time and personal resources in something that we could walk away from," Fowler said.

Shellfish harvesting ban tough on watermen, seafood companies For the last week Bill Forrest has had his employees doing odd jobs to fix up his seafood facility on Messick Road in Poquoson. "They've been doing things they normally would never do but I didn't want to tell them I don't have nothing for you to do," Forrest said. Bill Forrest Seafood is just one of many seafood companies across the area feeling the impact of a shellfish harvesting ban the Virginia Department of Health implemented last week due to Hurricane Sandy. An onslaught of rain pushing pollutants into the Chesapeake Bay along with a sewage leak in the Nansemond River led to concerns about contaminated shellfish. A harvesting ban of the entire Chesapeake Bay went into effect Oct. 29 so health department officials could conduct sampling of oysters to see if they were contaminated, said Robert Croonenberghs, director of the Health Department's Division of Shellfish Sanitation. The center and lower parts of the Rappahannock and York rivers as well as the Mobjack Bay were opened for harvesting Nov. 1. The ban for the majority of the Chesapeake Bay was lifted Nov. 3 with the exception of the Poquoson, Back and James rivers as well as the Lynnhaven Bay.

## ***ROANOKE TIMES***

Rain helps ease Craig County wildfire Rain that fell Monday helped firefighters working to contain the 894-acre Spade Fire that has been burning in an area of Potts Mountain about 2 miles northwest of the community of Maggie in Craig County. The fire destroyed one structure that apparently was a cabin, but there have been no fire-related injuries, according to Donna Wilson, the fire's information officer for the U.S. Forest Service. She said the Forest Service does not know yet whether the cabin was a full-time residence or a retreat. As many as 50 structures on

Potts Mountain were threatened initially but are now believed to be out of danger, Wilson said Tuesday. About 80 percent of the fire has been in the Mountain Lake Wilderness in the Jefferson National Forest, but some private land has been affected too, she said. She said firefighters hoped to have the blaze 100 percent contained by Tuesday night. The fire was reported Sunday. "They've got a real good handle on it," Wilson said. "The rain really helped." The cause of the fire is under investigation, she said. The Forest Service reported Tuesday morning that 78 firefighters were on the scene, along with three bulldozers, seven fire engines and a helicopter. Crews working to contain the fire have included personnel from the Forest Service, the Virginia Department of Forestry, volunteer fire departments at Johns Creek, Paint Bank, Newport and Union and the Craig County's Sheriff's Office and rescue squad and emergency management services. Barb Walker of the Forest Service said Tuesday evening that about 50 firefighters plus support staff will likely work the fire today, mopping up hot spots and doing related work.

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## MISCELLANEOUS

### **BNA DAILY ENVIRONMENT REPORT**

McCarthy Says No Greenhouse Gas Rule for Existing Power Plants Soon BALTIMORE—The Environmental Protection Agency's top air official said Nov. 13 that any rule regulating greenhouse gas emissions from existing power plants is at least several years away. "We are not talking about a quick timeline for any new source standard to be translated to existing facilities," Gina McCarthy, EPA assistant administrator for air and radiation, said during a meeting of the National Association of Regulatory Utility Commissioners. EPA in April proposed a carbon dioxide new source performance standard for newly built, fossil fuel-fired power plants, the first time it has set a source-specific emissions limit for greenhouse gases (77 Fed. Reg. 22,392; 71 DEN A-9, 4/13/12). Setting a standard for new and modified power plants would trigger a requirement under Section 111(d) of the Clean Air Act to set similar standards for existing sources as well. Section 111(d) requires EPA to set standards for existing sources when it establishes a new source performance standard for pollutants that have not previously been regulated.

EPA still is considering the 2 million comments it received on the proposed rule for new sources, and it is "not running to any finish line" to issue the final rule, McCarthy said. It would not be until after the rule covering new plants is finalized that EPA would address greenhouse gas emissions from existing plants, McCarthy said. Existing plants would not automatically be subject to regulation, and EPA would need to conduct a separate rulemaking. McCarthy said EPA would issue guidance, which states would implement over several years.

EPA Said to Be on Track to Propose Water Pollution Rules EPA is on track to propose rules for stormwater runoff and concentrated animal feeding operations, according to analysts interviewed by BNA. The analysts—representing environmental groups, state officials, and agricultural and wastewater interests—also expect EPA and the U.S. Army Corps of Engineers to finalize guidance clarifying federal jurisdiction over the nation's waters and to conduct a rulemaking to formalize the policy. These rulemakings are the ones most anticipated by regulated parties after President Obama's re-election.

Treasury Official: No Plan for Carbon Tax Without Republican Support An Obama administration official says the president will not lead an effort to tax the carbon content of fuel in upcoming talks over avoiding the "fiscal cliff," saying the onus is on Republicans to first show they could support such an approach. "I just want to be clear, the administration has not proposed—nor is it planning to propose—a carbon tax," Gilbert Metcalf, the deputy assistant treasury secretary for environment and energy, tells an economic forum on carbon taxes.

EPA Preparing Rule to Reduce Reporting Frequency Under Fuel Programs EPA is preparing a direct final rule that would reduce the number of reporting dates for its various fuel programs from 10 dates a year to quarterly reporting. Reducing the reporting burden is also part of the agency's attempt to move toward more electronic

reporting. EPA requires reporting from producers and importers of gasoline, diesel fuel, and fuel additives under the renewable fuel standard, the diesel fuel program, and reformulated gasoline and anti-dumping programs.

## **ASSOCIATED PRESS**

Ohio renews injection-well permitting COLUMBUS, Ohio (AP) — Ohio began issuing its first new permits Tuesday for deep injection of chemically laced wastewater from oil and gas drilling since a New Year's Eve quake in Youngstown prompted an unofficial statewide moratorium. Rick Simmers, head of the state's Division of Oil and Gas Resources, said the first four new permits went out Tuesday to sites in Athens, Portage and Washington counties. He said another 28 sites will be permitted in small batches of five or fewer in coming months. "We never had an official moratorium on issuing the permits, but we've asked the companies to work cooperatively with us as we upgrade our statutes and rules to make them even more stringent, and the companies have," Simmer said in an interview with The Associated Press. He said state natural resources officials now believe new regulations include ample safeguards — including the ability to order or conduct seismic testing before, during and after drilling — to protect against future quakes. Millions of gallons of wastewater from the drilling technique hydraulic fracturing, or fracking, are injected deep into the earth at such wells. The practice has been ridiculed and protested by environmental groups but defended by well operators as safe and responsible.

Global warming talk heats up, revisits carbon tax WASHINGTON -- Climate change is suddenly a hot topic again. The issue is resurfacing in talks about a once radical idea: a possible carbon tax. On Tuesday, a conservative think tank held discussions about it while a more liberal think tank released a paper on it. And the Congressional Budget Office issued a 19-page report on the different ways to make a carbon tax less burdensome on lower income people. A carbon tax works by making people pay more for using fossil fuels like coal, oil, and gas that produce heat-trapping carbon dioxide. The idea was considered so radical that in 2009, when President Barack Obama tried to pass a bill on global warming, that he instead opted for the more moderate approach of capping power plant emissions and trading credits that allowed utilities to pollute more. That idea, after passing the House, stalled in the Senate in 2010 and has been considered dead since. Even so, the Obama administration has no plans to push for a carbon tax now, said a White House official who spoke on condition of anonymity because there are no discussions about the issue. The whole issue of climate change was virtually absent during the presidential campaign until Hurricane Sandy hit the East Coast. The devastating superstorm - a rarity for the Northeast - and an election that led to Democratic gains have shoved global warming back into the conversation. So has the hunt for answers to a looming budget crisis.

## **GREENWIRE**

Salty compound levels persist in rivers near Marcellus Shale region -- research High levels of bromide continue to persist in a Pittsburgh-area watershed, according to recent research. Though bromides are not considered pollutants by themselves, they can produce compounds that threaten public health when combined with chlorine. The ultra-salty compound levels first rose in 2009 and 2010 as gas drilling in the Marcellus Shale also surged. The levels have persisted in the Allegheny River's watershed, which is located downstream from industrial brine treatment plants, according to a report from the Pittsburgh Water and Sewer Authority. Preliminary research from a Duke University team found that bromide levels were also persisting in an Allegheny tributary, professor Avner Vengosh said. Action by gas drillers could make a difference. A Carnegie Mellon University team found that bromide levels declined this year on the Monongahela River, which joins with the Allegheny to form the Ohio River. The drop came after gas drillers voluntarily stopped taking waste to treatment plants along the river. Last year, the state Department of Environmental Protection called on shale gas drillers to voluntarily stop taking wastewater to public water treatment plants along rivers. The request doesn't apply to conventional oil and gas well wastewater. Vengosh noted the distinction between the two doesn't make sense, because all wells can produce saltier water. "I think the focus on only shale gas is kind of misleading," he said. "It's all psychological"

To find warming's speed, scientists must see through clouds JUNGFRUJOCH, Switzerland -- On a clear day at the Sphinx, a legendary atmospheric observatory 11,000 feet up in the snowed-in peaks of the Bernese Alps, the

blue sky runs down green hills and white glaciers toward seemingly all of Europe beyond. On a lucky day here, though, there's only gray. There are only clouds. From the Sphinx's rooftop terrace, scientists are conducting one front of a long-running campaign to sample cotton puffs of atmosphere. Their prey is shifty, yet tauntingly present. And much of the planet's future depends on what they find. There are few places better than the 75-year-old Sphinx lab -- swaddled in gray nearly half the year, to the dismay of millions of people who have made the Jungfrauoch one of Switzerland's busiest tourist attractions -- to study clouds and the microscopic particles they form around, said Urs Baltensperger, an atmospheric scientist at the Paul Scherrer Institute who has worked at the lab nearly 30 years.

Coal blasting didn't trigger Ky. earthquake -- expert The 4.3-magnitude earthquake that rocked eastern Kentucky this weekend was too deep to be prompted by underground mining activities in the area, geologists said. The epicenter of the earthquake was in the center of the state's coal country, about 10 miles west of Whitesburg -- the region where underground mining and surface blasting frequently occur. But the quake occurred about 12 miles underground, making it too far down for mining to have played a role, said Zhenming Wang, the head of the University of Kentucky's Geologic Hazards division

### ***NEW YORK TIMES***

Blog: As Floods Recede, Superfund Neighborhoods Fear Contamination Since last month's storm, Juan Falcon says he has been cutting through the wallboard in the basement of his two-story house to let the walls breathe and to block the advance of mold. The walls in the basement apartment occupied by his 29-year-old son are still damp from the four feet of water that flooded the neighborhood. Mr. Falcon lives in the Greenpoint section of Brooklyn, near Newtown Creek and surrounding parcels that are undergoing a federal Superfund cleanup for pesticides, heavy metals, PCBs and other contaminants. Scores of New Yorkers have had it bad since the storm. But for residents and businesses on the industrial waterfront and near Newtown Creek and the Gowanus Canal, New York City's two Superfund sites, there's an extra layer of worry. Did the flood waters spread contamination that poses a lingering risk? "I'm wearing surgical gloves and a mask," said Mr. Falcon, a 57-year-old retiree who formerly loaded trucks for Domino's Sugar. "Anytime I see a hole in the gloves, I throw them out." Officials with the federal Environmental Protection Agency in New York say that agency officials are assessing Superfund cleanup sites in both New York and New Jersey but "do not believe that any sites were impacted in ways that would pose a threat to nearby communities." The agency said that it had taken water samples from one home near the Newtown Creek Superfund site but that test results were not yet available.